

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

OHIO A. PHILIP RANDOLPH INSTITUTE, )	)	No. 1:18-cv-357
<i>et al.</i> , )	)	
<b>Plaintiffs,</b> )	)	ORDER GRANTING MOTION
v. )	)	TO EXTEND DEADLINE AND
LARRY HOUSEHOLDER, <i>et al.</i> , )	)	ESTABLISH BRIEFING
<b>Defendants.</b> )	)	SCHEDULE FOR PLAINTIFFS’
	)	APPLICATION FOR
	)	ATTORNEYS’ FEES

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**Before: Moore, Circuit Judge; Black and Watson, District Judges.**

Before the Court is a Motion to Extend Deadline and Establish Briefing Schedule for Plaintiffs’ Application for Attorneys’ Fees filed by Plaintiffs.<sup>1</sup> (Doc. 274).

On May 3, 2019, this Court granted Plaintiffs’ request to declare the redistricting plan enacted in H.B. 369 unconstitutional and enjoined the State of Ohio from conducting any elections using the plan enacted in H.B. 369 in any future congressional elections. (Doc. 262 at 297). The Court’s Opinion and Order renders Plaintiffs “prevailing parties” under 42 U.S.C. § 1988. Plaintiffs assert that if they succeed in defending this Court’s Opinion and Order on appeal, the fees to which Plaintiffs are entitled will increase. (Doc. 274 at 2). Accordingly, Plaintiffs request that the Court extend the deadline for their application for fees and order a briefing schedule to commence sixty days after the later of either (1) the exhaustion of the appellate process as to the

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<sup>1</sup> Plaintiffs include Ohio A. Philip Randolph Institute, League of Women Voters of Ohio, the Ohio State University College Democrats, Northeast Ohio Young Black Democrats, Hamilton County Young Democrats, Linda Goldenhar, Douglas Burks, Sarah Inskeep, Cynthia Libster, Kathryn Deitsch, Luann Boothe, Mark John Griffiths, Lawrence Nadler, Chitra Walker, Tristan Rader, Ria Megnin, Andrew Harris, Aaron Dages, Elizabeth Myer, Beth Hutton, Teresa Thobaben, and Constance Rubin (“Plaintiffs”).

final judgment, or (2) the expiration of Defendants' and Intervenor's time to appeal. (*Id.* at 3).

Upon review of Plaintiffs' Motion, and finding it to be well-taken, it is hereby

**ORDERED** that Plaintiffs' Motion to Extend Deadline and Establish Briefing Schedule for Plaintiffs' Application for Attorneys' fees is **GRANTED**. If Plaintiffs remain prevailing parties under 42 U.S.C. § 1988(b), the parties shall comply with the following briefing schedule:

- 1) Opening brief due **60 days** after the later of either (1) the exhaustion of the appellate process as to the final judgment in this action, or (2) the expiration of Defendants' and Intervenor's time to appeal the final judgment;
- 2) Response briefs, if any, due **60 days** after the filing of the opening brief; and
- 3) Reply briefs, if any, due **30 days** after the filing of the response briefs.

ENTERED: **June 14, 2019**

s/ Timothy S. Black  
HONORABLE TIMOTHY S. BLACK  
United States District Judge

s/ Karen Nelson Moore  
HONORABLE KAREN NELSON MOORE  
United States Circuit Judge

s/ Michael H. Watson  
HONORABLE MICHAEL H. WATSON  
United States District Judge